

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**David L. Suiters**  
**Jayne L. Suiters**  
**aka Jayme L. Clinger, aka Jayme L. Guntrum, aka Jayme L. Bish**  
Debtor(s)

Bankruptcy Case No.: 14-70872-JAD  
Issued Per July 25, 2019 Proceeding  
Chapter: 13  
Docket No.: 73 – 68, 69  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 13, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,222 as of August 2019. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: M&T Bank at Claim No. 3-2 with payment changes implemented. Consumer Portfolio Services at Claim No. 12 as a long term debt .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.  
Counsel fees are based on a retainer of \$610.  
Prior distributions to American Credit Acceptance (Claim No. 2) were proper.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: August 2, 2019

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 David L. Suiters  
 Jayme L. Suiters  
 Debtors

Case No. 14-70872-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-7

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 35

Date Rcvd: Aug 02, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 04, 2019.

db/jdb  
 13968618 +David L. Suiters, Jayme L. Suiters, 159 Sunny Crest Lane, Altoona, PA 16601-8813  
 14044121 +Altoona Emergency Phys, P.O. Box 62282, Baltimore, MD 21264-2282  
 American InfoSource LP as agent for, DIRECTV, LLC, PO Box 51178,  
 Los Angeles, CA 90051-5478  
 13968621 +CBJ Credit Recovery, P.O. Box 85520, Richmond, VA 23285-5520  
 14035054 +COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157  
 (address filed with court: Columbia Gas of Pa., PO Box 117, Columbus, OH 43216)  
 13968623 +Clarion County DRS, P.O. Box 389, 17 South 4th Avenue, Clarion, PA 16214-1376  
 13968627 +Community State Bank of Orbisbonia, 620 Main Street, Saxton, PA 16678-1024  
 13968630 Fingerhut, Cardmember Services, P.O. Box 21550, Tulsa, OK 74121-1550  
 13968632 +KML Law Group, P.C., Suite 5000, BNY Independence Center, 701 Market Street,  
 Philadelphia, PA 19106-1541  
 13968634 +National Recovery Agency, 4201 Crums Mill Road, Harrisburg, PA 17112-2893  
 13968635 PHEEA, Student Loan Servicing Center, Harrisburg, PA 17130-0001  
 13968636 +Rec Management Group, 2901 University Ave #29, Columbus, GA 31907-7601  
 13968637 +State Collection Service, P.O. Box 6250, Madison, WI 53716-0250  
 13968638 +The Bureaus, Inc., 35353 Eagle Way, Chicago, IL 60678-0353  
 14029772 U. S. Department of Education, c/o FedLoan Servicing, P. O. Box 69184,  
 Harrisburg, PA 17106-9184

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr  
 E-mail/PDF: rmscedi@recoverycorp.com Aug 03 2019 02:37:51  
 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,  
 Miami, FL 33131-1605  
 13968619 +E-mail/Text: bankruptcy@acacceptance.com Aug 03 2019 02:31:56 American Credit Acceptance,  
 P.O. Box 204531, Dallas, TX 75320-4531  
 13980319 +E-mail/Text: bankruptcy@acacceptance.com Aug 03 2019 02:31:56 American Credit Acceptance,  
 961 E. Main Street, Spartanburg, SC 29302-2185  
 13995406 E-mail/PDF: EBN\_AIS@AMERICANINFOSOURCE.COM Aug 03 2019 02:39:56  
 American InfoSource LP as agent for, Verizon, PO Box 248838,  
 Oklahoma City, OK 73124-8838  
 13976819 E-mail/PDF: rmscedi@recoverycorp.com Aug 03 2019 02:38:46  
 Bureaus Investment Group Portfolio No 15 LLC, c/o Recovery Management Systems Corp,  
 25 SE 2nd Avenue Suite 1120, Miami FL 33131-1605  
 14266932 +E-mail/Text: bankruptcy@consumerportfolio.com Aug 03 2019 02:32:09  
 CONSUMER PORTFOLIO SERVICES, INC., P.O. BOX 57071, IRVINE, CA. 92619-7071  
 13968620 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 03 2019 02:37:46 Capital One Bank,  
 P.O. Box 790216, Saint Louis, MO 63179-0216  
 13968622 +E-mail/Text: nailda@centralcreditaudit.com Aug 03 2019 02:32:47 Central Credit Audit,  
 P.O. Box 735, Sunbury, PA 17801-0735  
 13968625 +E-mail/Text: documentfiling@lciinc.com Aug 03 2019 02:31:15 Comcast, P.O. Box 3001,  
 Southeastern, PA 19398-3001  
 13968628 +E-mail/Text: bankruptcy\_notifications@ccsusa.com Aug 03 2019 02:32:43  
 Credit Collection Services, Two Wells Avenue, Newton Center, MA 02459-3246  
 13968629 +E-mail/Text: bknotice@ercbpo.com Aug 03 2019 02:32:05 Enhanced Recovery Co., LLC,  
 8014 Bayberry Road, Jacksonville, FL 32256-7412  
 13968631 +E-mail/PDF: gecsed@recoverycorp.com Aug 03 2019 02:38:36 J.C. Penney, 1120 Boyce Road,  
 Pittsburgh, PA 15241-3909  
 14045811 E-mail/PDF: resurgentbknotifications@resurgent.com Aug 03 2019 02:38:01  
 LVNV Funding, LLC its successors and assigns as, assignee of Windstream Communications,,  
 Inc., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 13968633 E-mail/Text: camanagement@mtb.com Aug 03 2019 02:31:29 M & T Bank, P.O. Box 840,  
 Buffalo, NY 14240  
 13987712 E-mail/Text: camanagement@mtb.com Aug 03 2019 02:31:29 M&T BANK, PO BOX 1288,  
 Buffalo, NY 14240  
 13994987 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Aug 03 2019 02:51:10  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 14041415 E-mail/Text: bnc-quantum@quantum3group.com Aug 03 2019 02:31:43  
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788  
 13973638 E-mail/PDF: rmscedi@recoverycorp.com Aug 03 2019 02:37:51  
 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,  
 Miami, FL 33131-1605  
 13968639 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Aug 03 2019 02:31:14  
 Verizon, 500 Technology Drive, Suite 300, Saint Charles, MO 63304-2225  
 13968640 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Aug 03 2019 02:31:14  
 Verizon Wireless, 1 Verizon Place, Alpharetta, GA 30004-8510

TOTAL: 20

District/off: 0315-7

User: jhel  
Form ID: 149

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Total Noticed: 35

Date Rcvd: Aug 02, 2019

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr M&T BANK  
13968626 Community State Bank  
13968624 ##+Collection Service Center, 1312 A Pl Valley Blvd, P. O. Box 68, Altoona, PA 16603-0068  
TOTALS: 2, \* 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices  
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The  
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner  
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social  
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required  
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 04, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system on August 2, 2019 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor M&T BANK andygornall@latouflawfirm.com  
Forrest B. Fordham, III on behalf of Debtor David L. Suiters FFordhamlaw@msn.com,  
fordham-law@hotmail.com  
Forrest B. Fordham, III on behalf of Joint Debtor Jayme L. Suiters FFordhamlaw@msn.com,  
fordham-law@hotmail.com  
James Warmbrodt on behalf of Creditor M&T BANK bkgroup@kmlawgroup.com  
Joshua I. Goldman on behalf of Creditor M&T BANK bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7